



Town of Uxbridge
Zoning Board of Appeals
21 So. Main St.
Uxbridge, MA 01569
(508) 278-8603

DECISION / VARIANCE

ZBA Case# FY08-33
Zone: Residence C
Property Location: 104 Mill Street, Uxbridge, MA
Assessor's Map 34, Parcel 4027
Worcester Registry of Deeds' Bk. 26469, Pg. 160

Applicant Name(s)/Owner Name(s): John and Mary Demers

BACKGROUND

The applicants/owners of record John and Mary Demers sought a variance from the Zoning Bylaws due to a lack of frontage on property located at 104 Mill Street. They seek to construct a two-story 16' x 24' addition with a 6' x 24' Farmers porch. According to correspondence from the Building and Zoning Inspector dated April 11, 2008, the lot lacks the 200 feet of frontage required by the Zoning Bylaws; the "ZBA Plan" submitted by the applicant shows 159.77 feet (a shortage of 40.23 feet).

SUBMITTALS

Application form and materials, received April 14, 2008, and including the application form, copy of abutters list, "ZBA Plan," set of building plan drawings and fees.

DELIBERATIONS AND DECISION

At a meeting of the Town of Uxbridge Zoning Board of Appeals a duly noticed public hearing was opened on May 7, 2008.

Mr. Bentley, Vice Chairman opened the public hearing. Mr. Demers was present and discussed the proposed addition. He indicated that the existing farm house was built in 1860's; and that the proposed change is similar to the existing structure (replacing the old "ell" with new "ell").

The board noted that the road layout was changed in 1950 due to Route 146 highway layout and also noted its uncertainty as to whether or not it was a lawfully non-conforming lot.

Following the public hearing, a **MOTION** was made by Mr. Lutton to grant the Variance due to a hardship, based on the unique characteristics of the lot, in order to authorize the applicant to remodel/rebuild the pre-existing house utilizing same footprint and extending footprint as shown on the plan. .

Seconded by Mr. Desilets, the motion carried unanimously.

Voting Board Member Signatures:

Thomas Bentley

Bruce Desilets

Chuck Lutton

Appeals, if any, from this decision shall be made pursuant to M.G.L. Chapter 40 A, Section 17 and filed within 20 days after the date of the filing in the Office of the Town Clerk.

I hereby certify that twenty (20) days has elapsed from the file date and no appeal has been filed in this office.

A true copy: ATTEST

Town Clerk/Assistant Town Clerk

***YOU ARE REMINDED OF YOUR
RESPONSIBILITY TO RECORD THE
DECISION AT THE REGISTRY OF
DEEDS PER THE CERTIFICATE OF
GRANTING**

Town Seal